

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civ. No. 10-10 BB/WPL

\$121,952.00 IN UNITED STATES CURRENCY,

Defendant,

and

BEVERLEY R. KENNON,

Claimant.

SETTLEMENT AGREEMENT AND RELEASE


The United States and Claimant Beverley R. Kennon agree as follows:

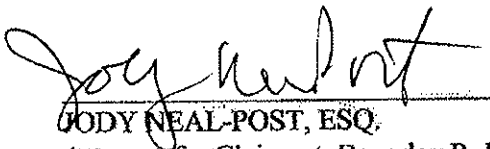
1. All right, title and interest of \$16,952.00 of Defendant Currency \$121,952.00 will be forfeited to the United States and title thereto vested in the United States.
2. The United States will return \$105,000.00 of Defendant Currency \$121,952.00, less any debt owed to the United States, any agency of the United States, or any other debt which the United States is authorized to collect, to claimant Beverley R. Kennon.
3. Entry of a Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465 is appropriate.
4. Each party will bear its own costs and attorney's fees in this case.
5. The terms of this Settlement Agreement and Release constitute full settlement and satisfaction of any and all claims by Claimant Beverley R. Kennon.
6. Claimant Beverley R. Kennon releases and forever discharges the United States,

including but not limited to the United States Department of Justice, the U.S. Customs and Border Protection (CBP), any state or local law enforcement agency, and their agents and employees, acting in their individual or official capacities, from any and all claims, rights or causes of action, damages, expenses and costs, known or unknown, which he has or may have against these government agencies and their employees and agents as a result of the United States' action with respect to the Defendant Currency.

7. Claimant Beverley R. Kennon shall hold harmless the United States, including but not limited to the United States Department of Justice, the CBP, and any state or local law enforcement agency, and their agents and employees, acting in their individual or official capacities, from any and all claims, rights or causes of action, damages, expenses and costs, known or unknown, which Claimant, his heirs, successors, agents, subrogees, and assigns, have or may have against these government agencies and their employees and agents as a result of the United States' actions with respect to the Defendant Currency.

KENNETH J. GONZALES
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BEVERLEY R. KENNON, Claimant

8/28/2010